

#### § 79.14

the claim is filed. The claimant or eligible surviving beneficiary must submit an authorization or release which authorizes the Radiation Exposure Compensation Unit to review records pertaining to residence created or acquired by the public office or agency, or university medical school, during the course of the study.

(1) If an immediate family member of the claimant was a participant in any such study, and the claimant was not, the claimant or eligible surviving beneficiary must also submit evidence to show that the participant in the study was an immediate family member of the claimant, and that the claimant resided at the same address as the participant during that time period. Absent evidence to the contrary, all members of an immediate family are presumed to reside at the same address, including any children under the age of eighteen (18).

(2) If the records of the study are insufficient to prove the claimant was physically present in the affected area for the specified period of time, the Unit will notify the claimant or eligible surviving beneficiary and afford that person the opportunity to submit contemporaneous records to establish physical presence within the affected area in accordance with § 79.52(c) of these regulations.

#### § 79.14 Proof of initial exposure prior to age 21.

(a) Proof of the claimant's date of birth must be established by the submission of one of the following records:

- (1) Birth certificate;
- (2) Baptismal certificate;
- (3) Tribal records;
- (4) Hospital records of birth.

(b) Absent any indication to the contrary, the earliest date within the designated time period indicated on any records accepted by the Radiation Exposure Compensation Unit as proof of the claimant's physical presence in the affected area will be presumed to be the date of initial exposure.

#### § 79.15 Proof of onset of leukemia between two and thirty years after first exposure.

Absent any indication to the contrary, the earliest date within the des-

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ignated time period indicated on any records accepted by the Radiation Exposure Compensation Unit as proof of the claimant's physical presence in the affected area will be presumed to be the date of first exposure. The date of onset shall be presumed to be the date of diagnosis as indicated in the medical documentation accepted by the Radiation Exposure Compensation Unit as proof of the claimant's leukemia, unless otherwise established in accordance with § 79.11(e).

#### § 79.16 Proof of medical condition.

(a) Written medical documentation is required in all cases to prove that the claimant suffered from or suffers from leukemia. Proof that the claimant contracted leukemia must be made either by using the procedure outlined in paragraph (b) of this section or submitting the documentation required in paragraph (c) of this section.

(b) If a claimant was diagnosed as having leukemia in the States of Arizona, Colorado, Nevada, New Mexico, Utah or Wyoming, the claimant or eligible surviving beneficiary need not submit any written medical documentation of disease at the time the claim is filed (although written medical documentation may subsequently be required). Instead, the claimant or eligible surviving beneficiary must submit with the claim an Authorization To Release Medical and Other Information, valid in the state of diagnosis, that authorizes the Unit to contact the appropriate state cancer or tumor registry. The Unit will accept as proof of medical condition verification from the state cancer or tumor registry that it possesses medical records or abstracts of medical records of the claimant that contain a verified diagnosis of one type of leukemia. If the designated state does not possess medical records or abstracts of medical records that contain a verified diagnosis of leukemia, the Radiation Exposure Compensation Unit will notify the claimant or eligible surviving beneficiary and afford that individual the opportunity to submit the written medical documentation required in paragraph (c) of this section, in accordance with the provisions of § 79.52(b).